

1 349.137 (2) No person may use an immobilization device to immobilize a motor
2 vehicle to enforce restrictions against unauthorized parking except in conformity
3 with a municipal ordinance enacted under this section or a rule adopted under s.
4 36.11 (8) or 37.11 (8).

5 ***-1187/P5.500* SECTION 3193.** 349.137 (3) (intro.) of the statutes is amended
6 to read:

7 349.137 (3) (intro.) The governing body of any municipality may by ordinance,
8 ~~or the chancellor of a campus of the University of Wisconsin System may by rule~~
9 ~~under s. 36.11 (8), or the chancellor of the University of Wisconsin-Madison may be~~
10 ~~rule under s. 37.11 (8)~~, provide for the use of immobilization devices to enforce
11 restrictions against unauthorized parking. Any ordinance under this subsection or
12 rule under s. 36.11 (8) or 37.11 (8) shall do all of the following:

13 ***-1187/P5.501* SECTION 3194.** 349.137 (4) (b) of the statutes is amended to
14 read:

15 349.137 (4) (b) A chancellor of a campus of the University of Wisconsin System
16 or the chancellor of the University of Wisconsin-Madison may adopt or enforce any
17 rule under s. 36.11 (8) or 37.11 (8) regulating the use of immobilization devices to
18 enforce parking restrictions that is not contrary to or inconsistent with this section.

19 ***-1442/1.1* SECTION 3195.** 350.12 (4) (bg) 2. of the statutes is amended to read:

20 350.12 (4) (bg) 2. For fiscal year 2001-02, and for each fiscal year thereafter,
21 the department shall calculate an amount equal to the number of trail use stickers
22 issued under sub. (3j) in the previous fiscal year multiplied by \$15 ~~\$32~~ and shall
23 credit this amount to the appropriation account under s. 20.370 (5) (cw). From the
24 appropriation account under s. 20.370 (5) (cw), the department shall make payments
25 to the department or a county for the purposes specified in par. (b). The department

1 shall make payments under par. (bm) for trail maintenance costs that were incurred
2 in the previous fiscal year and that exceed the maximum specified under par. (b) 1.
3 before making payments for any of the other purposes specified in par. (b).

4 ***-1356/2.28* SECTION 3196.** 425.2065 (1) of the statutes is amended to read:
5 425.2065 (1) In this section, "law enforcement agency" means the police
6 department, combined protective services department under s. 60.553, 61.66, or
7 62.13 (2e), or sheriff, that has primary responsibility for providing police protection
8 services in the city, village, or town in which a repossession is expected to occur.

9 ***-1465/P4.1062* *-0808/2.456* SECTION 3197.** Chapter 440 (title) of the
10 statutes is amended to read:

11 **CHAPTER 440**

12 **DEPARTMENT OF REGULATION AND**

13 **LICENSING SAFETY AND**

14 **PROFESSIONAL SERVICES**

15 ***-1465/P4.1063* *-0808/2.457* SECTION 3198.** 440.01 (1) (aj) of the statutes
16 is amended to read:

17 440.01 (1) (aj) "Department" means the department of ~~regulation and licensing~~
18 safety and professional services.

19 ***-1465/P4.1064* *-0808/2.458* SECTION 3199.** 440.01 (1) (g) of the statutes
20 is amended to read:

21 440.01 (1) (g) "Secretary" means the secretary of ~~regulation and licensing~~
22 safety and professional services.

23 ***-1465/P4.1065* *-0808/2.459* SECTION 3200.** 440.01 (2) (cs) of the statutes
24 is amended to read:

1 440.01 (2) (cs) "Minority group member" has the meaning given in s. ~~560.036~~
2 ~~490.04~~ (1) (f).

3 ***-1272/P4.9* SECTION 3201.** 440.03 (1) of the statutes is amended to read:

4 440.03 (1) The department may promulgate rules defining uniform procedures
5 to be used by the department, the real estate examining board, the real estate
6 appraisers board, and all examining boards and affiliated credentialing boards
7 attached to the department or an examining board, for receiving, filing and
8 investigating complaints, for commencing disciplinary proceedings and for
9 conducting hearings.

10 ***-1465/P4.1066* *-1059/P3.584* SECTION 3202.** 440.03 (1m) of the statutes
11 is amended to read:

12 440.03 (1m) The department may promulgate rules specifying the number of
13 business days within which the department or any examining board or affiliated
14 credentialing board in the department must review and make a determination on an
15 application for a permit, as defined in s. ~~560.41(2)~~ 227.116 (1g), that is issued under
16 chs. 440 to 480.

17 ***-1465/P4.1067* *-0808/2.460* SECTION 3203.** 440.03 (3q) of the statutes is
18 amended to read:

19 440.03 (3q) Notwithstanding sub. (3m), the department of ~~regulation and~~
20 licensing safety and professional services shall investigate any report that it receives
21 under s. 146.40 (4r) (em).

22 ***-1272/P4.10* SECTION 3204.** 440.03 (11m) (b) of the statutes is amended to
23 read:

24 440.03 (11m) (b) The ~~department~~ real estate examining board shall deny an
25 application for an initial credential or deny an application for credential renewal or

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1 for reinstatement of an inactive license under s. 452.12 (6) (e) if any information
2 required under par. (a) is not included in the application form or, in the case of an
3 applicant who is an individual and who does not have a social security number, if the
4 statement required under par. (am) is not included with the application form.

5 ***-1465/P4.1068* *-0808/2.461* SECTION 3205.** 440.03 (11m) (c) of the statutes
6 is amended to read:

7 440.03 (11m) (c) The department of ~~regulation and licensing~~ safety and
8 professional services may not disclose a social security number obtained under par.
9 (a) to any person except the coordinated licensure information system under s.
10 441.50 (7); the department of children and families for purposes of administering s.
11 49.22; and, for a social security number obtained under par. (a) 1., the department
12 of revenue for the purpose of requesting certifications under s. 73.0301 and
13 administering state taxes.

14 ***-1465/P4.1069* *-0808/2.462* SECTION 3206.** 440.03 (12m) of the statutes
15 is amended to read:

16 440.03 (12m) The department of ~~regulation and licensing~~ safety and
17 professional services shall cooperate with the departments of justice, children and
18 families, and health services in developing and maintaining a computer linkup to
19 provide access to information regarding the current status of a credential issued to
20 any person by the department of ~~regulation and licensing~~ safety and professional
21 services, including whether that credential has been restricted in any way.

22 ***-1465/P4.1070* *-0808/2.463* SECTION 3207.** 440.03 (18) (a) of the statutes
23 is created to read:

24 440.03 (18) (a) In this subsection, "veteran" has the meaning given in s. 45.01
25 (12).

1 ***-1465/P4.1071* *-0808/2.464* SECTION 3208.** 440.13 (1) (b) of the statutes
2 is amended to read:

3 440.13 (1) (b) "Memorandum of understanding" means a memorandum of
4 understanding entered into by the department of ~~regulation and licensing~~ safety and
5 professional services and the department of children and families under s. 49.857.

6 ***-1272/P4.11* SECTION 3209.** 440.13 (2) (a) of the statutes is amended to read:

7 440.13 (2) (a) With respect to a credential granted by the department, the
8 department shall restrict, limit, or suspend a credential or deny an application for
9 an initial credential ~~or for reinstatement of an inactive license under s. 452.12 (6) (e)~~
10 if the credential holder or applicant is delinquent in paying support or fails to comply,
11 after appropriate notice, with a subpoena or warrant issued by the department of
12 children and families or a county child support agency under s. 59.53 (5) and related
13 to support or paternity proceedings.

14 ***-1272/P4.12* SECTION 3210.** 440.13 (2) (c) of the statutes is amended to read:

15 440.13 (2) (c) With respect to a credential granted by a credentialing board, a
16 credentialing board shall restrict, limit or suspend a credential held by a person or
17 deny an application for an initial credential or for reinstatement of an inactive
18 license under s. 452.12 (6) (e) when directed to do so by the department.

19 ***-1465/P4.1072* *-0808/2.465* SECTION 3211.** 440.22 (2) of the statutes is
20 amended to read:

21 440.22 (2) In any disciplinary proceeding against a holder of a credential in
22 which the department or an examining board, affiliated credentialing board or board
23 in the department orders suspension, limitation or revocation of the credential or
24 reprimands the holder, the department, examining board, affiliated credentialing
25 board or board may, in addition to imposing discipline, assess all or part of the costs

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1 of the proceeding against the holder. Costs assessed under this subsection are
2 payable to the department. Interest shall accrue on costs assessed under this
3 subsection at a rate of 12% per year beginning on the date that payment of the costs
4 are due as ordered by the department, examining board, affiliated credentialing
5 board or board. Upon the request of the department of ~~regulation and licensing~~
6 safety and professional services, the department of justice may commence an action
7 to recover costs assessed under this subsection and any accrued interest.

8 ***-1465/P4.1073* *-0808/2.466* SECTION 3212.** 440.905 (1) of the statutes is
9 amended to read:

10 440.905 (1) In addition to the other duties and powers of the board under this
11 subchapter, the board shall advise the secretary of ~~regulation and licensing~~ safety
12 and professional services on matters relating to cemeteries, to this chapter, or to the
13 board.

14 ***-1465/P4.1074* *-0808/2.467* SECTION 3213.** 440.92 (2) (d) of the statutes
15 is amended to read:

16 440.92 (2) (d) A preneed seller may not sell any undeveloped space unless the
17 plans for the construction of the mausoleum have been submitted to the department
18 of ~~commerce~~ safety and professional services for approval under s. 157.12 (2) (a) and
19 the preneed sales contract includes the following language in not less than 10-point
20 boldface type: "THE PLANS FOR CONSTRUCTING THE MAUSOLEUM SPACE
21 HAVE BEEN SUBMITTED TO THE DEPARTMENT OF COMMERCE SAFETY
22 AND PROFESSIONAL SERVICES FOR APPROVAL. THE SELLER IS
23 RESPONSIBLE FOR ALL COSTS REQUIRED TO OBTAIN APPROVAL OF THE
24 PLANS BY THE DEPARTMENT OF COMMERCE SAFETY AND
25 PROFESSIONAL SERVICES, COMPLETE THE CONSTRUCTION, AND OBTAIN

1 CERTIFICATION OF THE CONSTRUCTION BY THE DEPARTMENT OF
2 COMMERCE SAFETY AND PROFESSIONAL SERVICES.”

3 ***-1465/P4.1075* *-0808/2.468* SECTION 3214.** 440.945 (5) (b) of the statutes
4 is amended to read:

5 440.945 (5) (b) The department of justice or any district attorney, upon
6 informing the department of justice, may commence an action in circuit court in the
7 name of the state to restrain by temporary or permanent injunction any violation of
8 this section. The court may, prior to entry of final judgment, make such orders or
9 judgments as may be necessary to restore to any person any pecuniary loss suffered
10 because of the acts or practices involved in the action, if proof of such loss is submitted
11 to the satisfaction of the court. The department of justice may subpoena persons and
12 require the production of books and other documents, and may request the
13 department of ~~regulation and licensing~~ safety and professional services to exercise
14 its authority under par. (a) to aid in the investigation of alleged violations of this
15 section.

16 ***-1187/P5.502* SECTION 3215.** 448.20 (2) of the statutes is amended to read:

17 448.20 (2) ~~ADVISE BOARD OF REGENTS~~ BOARD OF TRUSTEES AND BOARD OF REGENTS.
18 The council shall advise and cooperate with the ~~board of regents~~ Board of Trustees
19 of the University of Wisconsin-Madison and the Board of Regents of the University
20 of Wisconsin System in establishing an educational program for physician assistants
21 on the undergraduate level. The council shall suggest criteria for admission
22 requirements, program goals and objectives, curriculum requirements, and criteria
23 for credit for past educational experience or training in health fields.

24 ***-1404/1.1* SECTION 3216.** 450.01 (16) (h) (intro.) of the statutes is
25 renumbered 450.01 (16) (h) and amended to read:

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1 450.01 (16) (h) Making therapeutic alternate drug selections, if made in
2 accordance with written guidelines or procedures previously established by a
3 pharmacy and therapeutics committee of a hospital ~~and approved by the hospital's~~
4 ~~medical staff and use of the therapeutic alternate drug selection has been approved~~
5 ~~for a patient during the period of the patient's stay within the hospital by any of the~~
6 ~~following: or by a skilled nursing facility or by an intermediate care facility for~~
7 ~~persons with mental retardation, as defined in s. 46.278 (1m) (am).~~

8 *-1404/1.2* SECTION 3217. 450.01 (16) (h) 1. of the statutes is repealed.

9 *-1404/1.3* SECTION 3218. 450.01 (16) (h) 2. of the statutes is repealed.

10 *-1272/P4.13* SECTION 3219. 452.01 (1s) of the statutes is amended to read:
11 452.01 (1s) "Board" means real estate examining board.

12 *-1272/P4.14* SECTION 3220. 452.025 (1) (a) of the statutes is amended to
13 read:

14 452.025 (1) (a) A person desiring to act as a time-share salesperson shall
15 submit to the ~~department~~ board an application for a certificate of registration.

16 *-1272/P4.15* SECTION 3221. 452.025 (1) (b) (intro.) of the statutes is amended
17 to read:

18 452.025 (1) (b) The application for registration as a time-share salesperson
19 shall be in the form prescribed by the ~~department~~ board and shall include all of the
20 following:

21 *-1272/P4.16* SECTION 3222. 452.025 (1) (b) 4. of the statutes is amended to
22 read:

23 452.025 (1) (b) 4. Any other information ~~which~~ that the ~~department~~ board
24 reasonably requires to enable it to determine the competency of the person to

1 transact business as a time-share salesperson in a manner ~~which~~ that safeguards
2 the interests of the public.

3 ***-1272/P4.17* SECTION 3223.** 452.025 (3) (b) 2. (intro.) of the statutes is
4 amended to read:

5 452.025 (3) (b) 2. A time-share salesperson registered under this section may
6 complete a form purchase agreement or offer to purchase, if the form purchase
7 agreement or offer to purchase has been approved by the ~~department~~ board and
8 includes only the following:

9 ***-1272/P4.18* SECTION 3224.** 452.025 (4) of the statutes is amended to read:

10 452.025 (4) A time-share salesperson registered under this section may apply
11 at any time to transfer employment to another licensed broker by submitting to the
12 ~~department~~ board an application in the form prescribed by the ~~department~~ board
13 and the transfer fee specified in s. 440.05 (7).

14 ***-1272/P4.19* SECTION 3225.** 452.025 (5) (a) of the statutes is amended to
15 read:

16 452.025 (5) (a) The renewal date for certificates of registration granted by the
17 ~~department~~ board under this section is specified under s. 440.08 (2) (a).

18 ***-1272/P4.20* SECTION 3226.** 452.03 of the statutes is amended to read:

19 **452.03 Brokers and salespersons licensed.** No person may engage in or
20 follow the business or occupation of, or advertise or hold himself or herself out as, or
21 act temporarily or otherwise as a broker or salesperson without a license. Licenses
22 ~~shall be granted~~ The board may grant a license only to persons a person who are is
23 competent to transact such businesses in a manner ~~which~~ that safeguards the
24 interests of the public, and only after satisfactory proof of the person's competence
25 has been presented to the ~~department~~ board.

1 *-1272/P4.21* SECTION 3227. 452.04 of the statutes is repealed.

2 *-1272/P4.22* SECTION 3228. 452.05 (title) and (1) (intro.) of the statutes are
3 amended to read:

4 **452.05** (title) **Duties and powers of department board.** (1) (intro.) In
5 addition to the other duties and responsibilities of the department board under this
6 chapter, the department board shall advise the secretary on matters relating to real
7 estate practice and shall:

8 *-1272/P4.23* SECTION 3229. 452.05 (1) (b) of the statutes is amended to read:
9 452.05 (1) (b) Approve forms for use in real estate practice. The board may
10 conduct public hearings on matters relating to the approval of forms used in real
11 estate practice.

12 *-1272/P4.24* SECTION 3230. 452.05 (1) (c) of the statutes is amended to read:
13 452.05 (1) (c) After consultation with the council on real estate curriculum and
14 examinations ~~and subject to the procedure under s. 452.07,~~ promulgate rules
15 establishing criteria for the approval of educational programs and training sessions
16 under s. 452.09 (2) and approve such programs and sessions in accordance with the
17 established criteria.

18 *-1272/P4.25* SECTION 3231. 452.05 (1) (d) of the statutes is amended to read:
19 452.05 (1) (d) After consultation with the council on real estate curriculum and
20 examinations, ~~the board,~~ brokers and salespersons licensed under this chapter, and
21 interested members of the public, establish criteria for the approval of continuing
22 educational programs and courses in real estate related subjects required for
23 renewal under s. 452.12 (5) (c) 1.

24 *-1272/P4.26* SECTION 3232. 452.05 (1m) (b) of the statutes is amended to
25 read:

1 452.05 (1m) (b) In preparing the form for the offer to purchase commercial real
2 property under sub. (1) (b), the ~~department~~ board shall include a statement that the
3 seller represents to the buyer that the seller has no notice or knowledge that the
4 commercial real property is a historic building.

5 ***-1272/P4.27* SECTION 3233.** 452.05 (2) of the statutes is amended to read:

6 452.05 (2) The ~~department~~ board may prepare letters and bulletins and
7 conduct clinics disseminating information to its licensees.

8 ***-1272/P4.28* SECTION 3234.** 452.05 (3) of the statutes is amended to read:

9 452.05 (3) The ~~department~~ board may, ~~after consultation with the board,~~ enter
10 into reciprocal agreements with officials of other states or territories of the United
11 States for licensing brokers and salespersons and grant licenses to applicants who
12 are licensed as brokers or salespersons in those states or territories according to the
13 terms of the reciprocal agreements.

14 ***-1272/P4.29* SECTION 3235.** 452.06 (2) (intro.) and (b) of the statutes are
15 consolidated, renumbered 452.06 (2) and amended to read:

16 452.06 (2) The council on real estate curriculum and examinations shall ~~do all~~
17 ~~of the following:~~ (b) Periodically, but not less than annually, review subjects covered
18 on examinations for licensure under this chapter and the qualifications for
19 instructors of and performance evaluations for educational and continuing
20 educational programs, training sessions, and courses approved under this chapter.

21 ***-1272/P4.30* SECTION 3236.** 452.06 (2) (a) of the statutes is repealed.

22 ***-1272/P4.31* SECTION 3237.** 452.07 (title) of the statutes is amended to read:

23 **452.07 (title) Rules; review of rules.**

24 ***-1272/P4.32* SECTION 3238.** 452.07 (1) of the statutes is amended to read:

1 452.07 (1) The ~~department~~ board shall promulgate rules for the guidance of the
2 real estate profession and define professional conduct and unethical practice.

3 ***-1272/P4.33* SECTION 3239.** 452.07 (1m) of the statutes is amended to read:

4 452.07 (1m) The ~~department~~ board shall promulgate rules that specify the
5 supervisory duties of brokers under s. 452.12 (3).

6 ***-1272/P4.34* SECTION 3240.** 452.07 (2) to (7) of the statutes are repealed.

7 ***-1272/P4.35* SECTION 3241.** 452.09 (1) (intro.) of the statutes is amended to
8 read:

9 452.09 (1) FORM OF APPLICATION. (intro.) Any person desiring to act as a broker
10 or salesperson shall submit to the ~~department~~ board an application for a license. The
11 application shall be in such form as the ~~department~~ board prescribes and shall
12 include the following:

13 ***-1272/P4.36* SECTION 3242.** 452.09 (1) (e) of the statutes is amended to read:

14 452.09 (1) (e) Any other information ~~which~~ that the ~~department~~ board may
15 reasonably require to enable it to determine the competency of each applicant,
16 including each business representative of the business entity, to transact the
17 business of a broker or salesperson in a manner ~~which~~ that safeguards the interests
18 of the public.

19 ***-1272/P4.37* SECTION 3243.** 452.09 (2) (a) of the statutes is amended to read:

20 452.09 (2) (a) Except as provided in a reciprocal agreement under s. 452.05 (3),
21 each applicant for a salesperson's license shall submit to the ~~department~~ board
22 evidence satisfactory to the ~~department~~ board of successful completion of
23 educational programs approved for this purpose under s. 452.05 (1) (c). The
24 ~~department~~ board may waive the requirement under this paragraph upon proof that

1 the applicant has received 10 academic credits in real estate or real estate related
2 law courses from an accredited institution of higher education.

3 ***-1272/P4.38* SECTION 3244.** 452.09 (2) (c) 2. of the statutes is amended to
4 read:

5 452.09 (2) (c) 2. Submit to the ~~department~~ board evidence satisfactory to the
6 ~~department~~ board of successful completion of educational programs in business
7 management approved for this purpose under s. 452.05 (1) (c). No educational
8 programs applied to satisfy the requirement under subd. 1. may be applied to satisfy
9 the requirement under this subdivision.

10 ***-1272/P4.39* SECTION 3245.** 452.09 (2) (d) of the statutes is amended to read:

11 452.09 (2) (d) The ~~department~~ board may waive the requirements under par.
12 (c) upon proof that the applicant has received 20 academic credits in real estate or
13 real estate related law courses from an accredited institution of higher education or
14 that the applicant is licensed to practice law in this state.

15 ***-1272/P4.40* SECTION 3246.** 452.09 (3) (a) of the statutes is amended to read:

16 452.09 (3) (a) In determining competency, the ~~department~~ board shall require
17 proof that the applicant for a broker's or salesperson's license has a fair knowledge
18 of the English language; a fair understanding of the general purposes and general
19 legal effect of deeds, mortgages, land contracts of sale, leases, bills of sale, chattel
20 mortgages, and conditional sales contracts; and a general and fair understanding
21 of the obligations between principal and agent, as well as of this chapter. ~~An~~ The
22 board shall deny a license to an applicant receiving a failing grade, as established by
23 rules of the ~~department~~ board, on any examination given under this section ~~shall be~~
24 ~~denied a license~~, but any applicant may review his or her examination results in a
25 manner established by rules of the ~~department~~ board.

1 ***-1272/P4.41* SECTION 3247.** 452.09 (3) (b) of the statutes is amended to read:

2 452.09 (3) (b) The ~~department~~ board shall determine competency under par.
3 (a) by means of only an oral examination for any applicant who is unable to write
4 because of a physical handicap.

5 ***-1272/P4.42* SECTION 3248.** 452.09 (3) (d) of the statutes is amended to read:

6 452.09 (3) (d) Except as provided in a reciprocal agreement under s. 452.05 (3),
7 the ~~department~~ board may not grant a broker's license to an applicant who does not
8 hold a salesperson's license unless the applicant passes the salesperson's
9 examination and the broker's examination.

10 ***-1272/P4.43* SECTION 3249.** 452.09 (5) of the statutes is amended to read:

11 452.09 (5) APPRENTICESHIPS. Any person who is a resident of this state and 18
12 years of age or over may, upon application filed in accordance with sub. (1), be
13 indentured to a licensed resident broker in accordance with rules promulgated by the
14 ~~department~~ board. These rules shall be promulgated so as to protect the public and
15 may limit the real estate sales and brokerage activity of the apprentice. The
16 ~~department~~ board may require an apprentice to take a preliminary examination
17 covering general knowledge and may prescribe the character and extent of his or her
18 work during apprenticeship. The ~~department~~ board may issue a temporary
19 salesperson's permit to the individual for a period not to exceed one year upon
20 payment of the fee under s. 440.05 (6). The temporary permit is not renewable.

21 ***-1272/P4.44* SECTION 3250.** 452.10 (2) (b) of the statutes is amended to read:

22 452.10 (2) (b) Unless an application is withdrawn in writing before the
23 ~~department~~ board has made any investigation, no part of the fee shall be returned.

24 ***-1272/P4.45* SECTION 3251.** 452.10 (4) (a) of the statutes is amended to read:

1 452.10 (4) (a) Any licensed salesperson or broker may transfer to the
2 employment of a licensed broker by first paying the transfer fee specified in s. 440.05
3 (7) and filing a transfer form with the ~~department~~ board.

4 ***-1272/P4.46* SECTION 3252.** 452.10 (6) of the statutes is amended to read:

5 452.10 (6) In the case of applications for renewals of licenses the ~~department~~
6 board may dispense with such matters contained in s. 452.09 (1) as it deems
7 unnecessary in view of prior applications.

8 ***-1272/P4.47* SECTION 3253.** 452.11 (3) of the statutes is amended to read:

9 452.11 (3) Every nonresident applicant, and every resident licensee who
10 becomes a nonresident, shall file with the ~~department~~ board an irrevocable consent
11 that actions may be commenced against the applicant or licensee in the proper court
12 of any county of the state in which a cause of action arises or in which the plaintiff
13 resides, by the service of any process or pleading authorized by the laws of this state
14 on the ~~department~~ board or any duly authorized employee. The consent shall
15 stipulate and agree that such service is valid and binding as due service upon the
16 applicant or licensee in all courts in this state. The consent shall be duly
17 acknowledged and, if made by a corporation, shall be authenticated by the corporate
18 seal.

19 ***-1272/P4.48* SECTION 3254.** 452.11 (4) of the statutes is amended to read:

20 452.11 (4) Any process or pleading under this section shall be served in
21 duplicate upon the ~~department~~ board or its duly authorized employee. One copy
22 shall be filed with the ~~department~~ board and the other immediately forwarded by
23 certified mail to the nonresident licensee against whom the process or pleading is
24 directed at the last address provided to the ~~department~~ board by the nonresident
25 licensee. No default in any such proceeding or action may be taken unless it appears

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1 by affidavit of the ~~secretary~~ chairperson of the board or any duly authorized
2 employee that a copy of the process or pleading was mailed to the nonresident
3 licensee as required in this subsection. No judgment by default may be taken in any
4 action or proceeding within 20 days after the date of mailing the process or pleading
5 to the nonresident licensee.

6 ***-1272/P4.49* SECTION 3255.** 452.12 (1) of the statutes is amended to read:

7 452.12 (1) EXPIRATION. A license granted by the ~~department~~ board entitles the
8 holder to act as a broker or salesperson, as the case may be, until the applicable
9 renewal date specified under s. 440.08 (2) (a).

10 ***-1272/P4.50* SECTION 3256.** 452.12 (2) (c) of the statutes is amended to read:

11 452.12 (2) (c) Application for a business entity license shall be made on forms
12 prescribed by the ~~department~~ board, listing the names and addresses of all business
13 representatives, and shall be accompanied by the initial credential fee determined
14 by the department under s. 440.03 (9) (a). If there is a change in any of the business
15 representatives, the change shall be reported to the ~~department~~ board, on the same
16 form, within 30 days after the effective date of the change.

17 ***-1272/P4.51* SECTION 3257.** 452.12 (4) of the statutes is amended to read:

18 452.12 (4) REGISTER OF BROKERS AND SALESPERSONS. ~~The department shall~~
19 ~~maintain the register required by s. 440.035 (4).~~ The board shall include in the
20 register the board maintains under s. 440.035 (4) the names of all brokers and
21 salespersons whose licenses have been ~~were~~ revoked at any time within the past 2
22 years prior to the issuance thereof shall be included in the register. The register shall
23 be available for purchase at cost.

24 ***-1272/P4.52* SECTION 3258.** 452.12 (5) (b) of the statutes is amended to read:

1 452.12 (5) (b) If an application for renewal is not filed with the ~~department~~
2 board on or before the renewal date, the applicant may not engage in any of the
3 activities covered by the license until the license is renewed or a new license is issued.

4 ***-1272/P4.53* SECTION 3259.** 452.12 (5) (c) 2. of the statutes is amended to
5 read:

6 452.12 (5) (c) 2. Not later than June 30 of each even-numbered year, the
7 ~~department~~ board shall conduct an examination on those subjects required for
8 continuing education under s. 452.05 (1) (d). Any broker or salesperson who passes
9 the examination under this subdivision is not required to comply with subd. 1.

10 ***-1187/P5.503* SECTION 3260.** 452.12 (5) (d) of the statutes is created to read:

11 452.12 (5) (d) Annually, the department shall pay to the University of
12 Wisconsin-Madison \$10 of each renewal fee received under this subsection for
13 support of the center for urban land economics in the School of Business at the
14 University of Wisconsin-Madison under s. 37.25 (34).

15 ***-1272/P4.54* SECTION 3261.** 452.12 (6) (b) of the statutes is amended to read:

16 452.12 (6) (b) Unless an applicant's license has been revoked or suspended
17 under s. 452.14 (3), the ~~department~~ board may register the applicant under par. (a)
18 as an inactive licensee upon payment of a \$15 fee.

19 ***-1272/P4.55* SECTION 3262.** 452.12 (6) (d) of the statutes is amended to read:

20 452.12 (6) (d) If an inactive licensee files an application for reinstatement
21 before January 1, 1996, the ~~department~~ board shall reinstate the inactive licensee's
22 original license in accordance with the requirements for late renewal under s. 440.08
23 (3).

24 ***-1272/P4.56* SECTION 3263.** 452.12 (6) (e) (intro.) of the statutes is amended
25 to read:

1 452.12 (6) (e) (intro.) Except as provided in ss. 440.03 (11m) (b), 440.12 and
2 440.13 (2) (a) (c), the ~~department~~ board shall reinstate an inactive licensee's original
3 license as follows:

4 ***-1272/P4.57* SECTION 3264.** 452.12 (6) (e) 1. of the statutes is amended to
5 read:

6 452.12 (6) (e) 1. If a person has registered as an inactive licensee before
7 November 1, 1990, the ~~department~~ board shall reinstate the person's original license
8 if that person applies to the ~~department~~ board for reinstatement of his or her original
9 license, pays the fee specified under s. 440.05 (1), passes an examination under s.
10 452.09 (3), and completes the education requirements established by the ~~department~~
11 board under par. (f).

12 ***-1272/P4.58* SECTION 3265.** 452.12 (6) (e) 2. of the statutes is amended to
13 read:

14 452.12 (6) (e) 2. If a person has registered as an inactive licensee on or after
15 November 1, 1990, the ~~department~~ board shall reinstate the person's original license
16 if that person applies to the ~~department~~ board for reinstatement of his or her original
17 license, pays the renewal fee determined by the department under s. 440.03 (9) (a)
18 for the original license and completes 12 hours of continuing education as established
19 by the ~~department~~ board under par. (f). A person who is eligible for reinstatement
20 of his or her original license under this subdivision shall complete the requirements
21 for reinstatement under this subdivision before January 1, 1996, or within 5 years
22 after the date on which the person registered as an inactive licensee, whichever is
23 later.

24 ***-1272/P4.59* SECTION 3266.** 452.12 (6) (e) 3. of the statutes is amended to
25 read:

1 452.12 (6) (e) 3. If a person who is eligible for reinstatement of his or her
2 original license under subd. 2. does not complete the requirements for reinstatement
3 within the time specified under subd. 2., the ~~department~~ board shall reinstate the
4 original license of that person if he or she meets the requirements specified under
5 subd. 1.

6 ***-1272/P4.60* SECTION 3267.** 452.12 (6) (f) of the statutes is amended to read:

7 452.12 (6) (f) The ~~department~~ board shall promulgate rules establishing the
8 education requirements that applicants for reinstatement of original licenses under
9 par. (e) must satisfy.

10 ***-1465/P4.1076* *-0808/2.469* SECTION 3268.** 452.13 (2) (b) 1. of the statutes
11 is amended to read:

12 452.13 (2) (b) 1. Register with the department of ~~regulation and licensing~~
13 safety and professional services the name and address of the depository institution
14 and the number of the interest-bearing common trust account.

15 ***-1465/P4.1077* *-0808/2.470* SECTION 3269.** 452.13 (2) (b) 2. of the statutes
16 is amended to read:

17 452.13 (2) (b) 2. Notify the department of ~~regulation and licensing~~ safety and
18 professional services when any of the information required under subd. 1. is
19 changed.

20 ***-1465/P4.1078* *-0805/P2.32* SECTION 3270.** 452.13 (2) (b) 3. of the statutes
21 is amended to read:

22 452.13 (2) (b) 3. Furnish the department of ~~regulation and licensing~~ safety and
23 professional services with a letter authorizing the department of ~~regulation and~~
24 licensing safety and professional services and the ~~department of commerce~~
25 Wisconsin Housing and Economic Development Authority to examine and audit the

1 interest-bearing common trust account whenever the department of ~~regulation and~~
2 ~~licensing safety and professional services~~ or the ~~department of commerce~~ Wisconsin
3 Housing and Economic Development Authority considers it necessary.

4 ***-1465/P4.1079* *-0805/P2.33* SECTION 3271.** 452.13 (2) (bm) of the statutes
5 is amended to read:

6 452.13 (2) (bm) The department of ~~regulation and licensing safety and~~
7 ~~professional services~~ shall forward to the ~~department of commerce~~ Wisconsin
8 Housing and Economic Development Authority the information and documents
9 furnished under par. (b).

10 ***-1465/P4.1080* *-0805/P2.34* SECTION 3272.** 452.13 (2) (d) of the statutes
11 is amended to read:

12 452.13 (2) (d) The ~~department of commerce~~ Wisconsin Housing and Economic
13 Development Authority is the beneficial owner of the interest accruing to the
14 interest-bearing common trust account, minus any service charges or fees.

15 ***-1465/P4.1081* *-0805/P2.35* SECTION 3273.** 452.13 (2) (e) 1. of the statutes
16 is amended to read:

17 452.13 (2) (e) 1. Annually, before February 1, remit to the ~~department of~~
18 ~~commerce~~ Wisconsin Housing and Economic Development Authority the total
19 interest or dividends, minus service charges or fees, earned on the average daily
20 balance in the interest-bearing common trust account during the 12 months ending
21 on the previous December 31. A depository institution is not required to remit any
22 amount if the total interest or dividends for that period is less than \$10 before any
23 deduction for service charges or fees.

24 ***-1465/P4.1082* *-0805/P2.36* SECTION 3274.** 452.13 (2) (e) 2. of the statutes
25 is amended to read:

1 452.13 (2) (e) 2. When the interest remittance is sent, furnish to the
2 ~~department of commerce~~ Wisconsin Housing and Economic Development Authority
3 and to the broker maintaining the interest-bearing common trust account a
4 statement that includes the name of the broker for whose account the remittance is
5 made, the rate of interest applied, the amount of service charges or fees deducted,
6 if any, and the account balance for the period that the statement covers.

7 ***-1465/P4.1083* *-0805/P2.37* SECTION 3275.** 452.13 (2) (f) 2. of the statutes
8 is amended to read:

9 452.13 (2) (f) 2. May not assess a service charge or fee for an interest-bearing
10 common trust account against the ~~department of commerce~~ Wisconsin Housing and
11 Economic Development Authority.

12 ***-1465/P4.1084* *-0805/P2.38* SECTION 3276.** 452.13 (2) (f) 3. of the statutes
13 is amended to read:

14 452.13 (2) (f) 3. May deduct a service charge or fee from the interest earned by
15 an interest-bearing common trust account, and if a balance remains, may deduct the
16 remaining charge or fee from the interest earned on any other interest-bearing
17 common trust account maintained in that depository institution, before remitting
18 interest to the ~~department of commerce~~ Wisconsin Housing and Economic
19 Development Authority.

20 ***-1465/P4.1085* *-0805/P2.39* SECTION 3277.** 452.13 (5) of the statutes is
21 amended to read:

22 452.13 (5) RULES. In consultation with the ~~department of regulation and~~
23 ~~licensing, the department of commerce~~ Wisconsin Housing and Economic
24 Development Authority, the department of safety and professional services shall
25 promulgate rules necessary to administer this section.

1 ***-1272/P4.61* SECTION 3278.** 452.14 (1) of the statutes is amended to read:

2 452.14 (1) The department board shall, upon motion of the board secretary or
3 his or her designee or upon its own determination, conduct investigations and, as
4 appropriate, may hold hearings and make findings, if the board or the department
5 receives credible information that a broker, salesperson, or time-share salesperson
6 has violated this chapter or any rule promulgated under this chapter.

7 ***-1272/P4.62* SECTION 3279.** 452.14 (2) of the statutes is amended to read:

8 452.14 (2) ~~The department shall present the findings of any investigation of~~
9 ~~a licensee or registrant to the board for its consideration. The department shall upon~~
10 ~~motion of the board, and board may, upon its own determination, commence~~
11 disciplinary proceedings on any matter under investigation concerning a licensee or
12 registrant. ~~No investigation of a licensee or registrant may be closed without motion~~
13 ~~of the board.~~

14 ***-1272/P4.63* SECTION 3280.** 452.14 (3) (L) of the statutes is amended to read:

15 452.14 (3) (L) Violated any provision of this chapter or any rule promulgated
16 under this chapter;

17 ***-1272/P4.64* SECTION 3281.** 452.17 (2) of the statutes is amended to read:

18 452.17 (2) Any person who engages in or follows the business or occupation of,
19 or advertises or holds himself or herself out as or acts temporarily or otherwise as,
20 a time-share salesperson in this state without being registered with the department
21 board shall be prosecuted by the district attorney in the county where the violation
22 occurs and may be fined not less than \$25 nor more than \$200 or imprisoned not less
23 than 10 days nor more than 6 months or both.

24 ***-1272/P4.65* SECTION 3282.** 452.22 (2) of the statutes is amended to read:

452.22 (2) The certificate of the secretary chairperson of the board or his or her designee to the effect that a specified individual or business entity is not or was not on a specified date the holder of a broker's, salesperson's, or time-share salesperson's license or registration, or that a specified license or registration was not in effect on a date specified, or as to the issuance, limitation, suspension, or revocation of any license or registration or the reprimand of any license or registration holder thereof, the filing or withdrawal of any application or its existence or nonexistence, is prima facie evidence of the facts therein stated in the certificate for all purposes in any action or proceedings.

***-1465/P4.1086* *-0808/2.474* SECTION 3283.** 462.01 (3) of the statutes is amended to read:

462.01 (3) "Department" means the department of regulation and licensing
safety and professional services.

***-1465/P4.1087* *-0808/2.475* SECTION 3284.** Chapter 490 of the statutes is created to read:

CHAPTER 490

BUSINESS ASSISTANCE PROGRAMS

490.01 Definitions. In this chapter:

(1) “Department” means the department of safety and professional services.

(2) “Secretary” means the secretary of safety and professional services.

***-0194/3.1* SECTION 3285.** 551.403 (2) (a) 2. of the statutes is amended to read:

551.403 (2) (a) 2. Institutional investors, except any institutional investor described in s. 551.102 (11) (k), (m), or (o).

***-0194/3.2* SECTION 3286.** 551.403 (2) (a) 2m. of the statutes is amended to read:

1 551.403 (2) (a) 2m. Accredited investors as defined in Rule 501 (a) (1), ~~(2), or~~
2 ~~(3), (7) or (8)~~ adopted under the Securities Act of 1933.

3 ***-1465/P4.1089* *-1059/P3.585* SECTION 3287.** Chapter 560 (title) of the
4 statutes is repealed.

5 ***-1465/P4.1090* *-1059/P3.586* SECTION 3288.** Subchapter I (title) of
6 chapter 560 [precedes 560.001] of the statutes is repealed.

7 ***-1465/P4.1091* *-1059/P3.587* SECTION 3289.** 560.001 of the statutes is
8 repealed.

9 ***-1465/P4.1092* *-1059/P3.588* SECTION 3290.** 560.01 (title), (1) and (2) of
10 the statutes are repealed.

11 ***-1465/P4.1093* *-1059/P3.589* SECTION 3291.** 560.01 (3) of the statutes is
12 renumbered 238.04 (14) and amended to read:

13 238.04 (14) ~~FOREIGN OFFICE AGREEMENTS. The department may enter~~ Enter into
14 agreements regarding compensation, space, and other administrative matters as are
15 necessary to operate ~~departmental~~ offices in other states and foreign countries. Such
16 agreements shall be subject to the approval of the secretary of administration.

17 ***-1465/P4.1094* *-1059/P3.590* SECTION 3292.** 560.02 of the statutes is
18 repealed.

19 ***-1465/P4.1095* *-1059/P3.591* SECTION 3293.** 560.03 (title) of the statutes
20 is repealed.

21 ***-1465/P4.1096* *-1059/P3.592* SECTION 3294.** 560.03 (intro.) of the
22 statutes is repealed.

23 ***-1465/P4.1097* *-1059/P3.593* SECTION 3295.** 560.03 (1) of the statutes is
24 repealed.

****NOTE: This is reconciled s. 560.03 (1). This SECTION has been affected by drafts with the following LRB numbers: LRB-0157/3 and LRB-1465/P3.

1 ***-1465/P4.1098* *-1059/P3.594* SECTION 3296.** 560.03 (2) of the statutes is
2 repealed.

3 ***-1465/P4.1099* *-1059/P3.595* SECTION 3297.** 560.03 (3) of the statutes is
4 repealed.

5 ***-1465/P4.1100* *-1059/P3.596* SECTION 3298.** 560.03 (4) of the statutes is
6 repealed.

7 ***-1465/P4.1101* *-1059/P3.597* SECTION 3299.** 560.03 (4m) of the statutes
8 is repealed.

9 ***-1465/P4.1102* *-1059/P3.598* SECTION 3300.** 560.03 (5) of the statutes is
10 repealed.

11 ***-1465/P4.1103* *-1059/P3.599* SECTION 3301.** 560.03 (6) of the statutes is
12 repealed.

13 ***-1465/P4.1104* *-1059/P3.600* SECTION 3302.** 560.03 (8) of the statutes is
14 repealed.

15 ***-1465/P4.1105* *-1059/P3.601* SECTION 3303.** 560.03 (9) of the statutes is
16 repealed.

17 ***-1465/P4.1106* *-1059/P3.602* SECTION 3304.** 560.03 (10) of the statutes is
18 repealed.

19 ***-1465/P4.1107* *-1059/P3.603* SECTION 3305.** 560.03 (11) of the statutes is
20 repealed.

21 ***-1465/P4.1108* *-1059/P3.604* SECTION 3306.** 560.03 (16) of the statutes is
22 repealed.

1 ***-1465/P4.1109* *-1059/P3.605* SECTION 3307.** 560.03 (17) of the statutes is
2 renumbered 238.25 and amended to read:

3 **238.25 Assistance to loan recipients.** ~~Assist~~ The corporation shall assist
4 new businesses and small businesses receiving economic development loans under
5 s. 234.65 (1) (a) or the assistance of the Wisconsin Housing and Economic
6 Development Authority in locating sources of venture capital and in obtaining the
7 state and federal licenses and permits necessary for business operations.

8 ***-1465/P4.1110* *-1059/P3.606* SECTION 3308.** 560.03 (18) of the statutes is
9 repealed.

 ****NOTE: This is reconciled s. 560.03 (18). This SECTION has been affected by drafts
 with the following LRB numbers: LRB-1187/P4 and LRB-1465/P3.

10 ***-1465/P4.1111* *-1059/P3.607* SECTION 3309.** 560.03 (19) of the statutes is
11 repealed.

12 ***-1465/P4.1112* *-1059/P3.608* SECTION 3310.** 560.03 (20) of the statutes is
13 repealed.

14 ***-1465/P4.1113* *-1059/P3.609* SECTION 3311.** 560.03 (21) of the statutes is
15 repealed.

16 ***-1465/P4.1114* *-1059/P3.610* SECTION 3312.** 560.03 (22) of the statutes is
17 repealed.

18 ***-1465/P4.1115* *-1059/P3.611* SECTION 3313.** 560.03 (23) of the statutes is
19 repealed.

20 ***-1465/P4.1116* *-1059/P3.612* SECTION 3314.** 560.03 (25) of the statutes is
21 repealed.

 ****NOTE: This is reconciled s. 560.03 (25). This SECTION has been affected by drafts
 with the following LRB numbers: LRB-1187/P4 and LRB-1465/P3.

1 ***-1465/P4.1117* *-1059/P3.613* SECTION 3315.** 560.03 (26) of the statutes is
2 repealed.

 ****NOTE: This is reconciled s. 560.03 (26). This SECTION has been affected by drafts
with the following LRB numbers: LRB-1187/P4 and LRB-1465/P3.

3 ***-1465/P4.1118* *-1059/P3.614* SECTION 3316.** 560.031 of the statutes is
4 repealed.

5 ***-1465/P4.1119* *-1059/P3.615* SECTION 3317.** 560.032 of the statutes is
6 renumbered 238.10 and amended to read:

7 **238.10 Allocation of volume cap on tax-exempt bonds. (1) ALLOCATION.**
8 The ~~department~~, ~~by rule~~, corporation shall establish under 26 USC 146 and
9 administer a system for the allocation of the volume cap on the issuance of private
10 activity bonds, as defined under 26 USC 141 (a), among all municipalities, as defined
11 in s. 67.01 (5), and any corporation formed on behalf of those municipalities, and
12 among this state, the Wisconsin Health and Educational Facilities Authority, the
13 Wisconsin Aerospace Authority, and the Wisconsin Housing and Economic
14 Development Authority.

15 **(2) AMENDMENT TO ALLOCATION.** At any time prior to December 31 in any year,
16 the ~~department~~ corporation may ~~promulgate~~ adopt rules to revise the allocation
17 system established for that year under sub. (1), except that any revision under this
18 subsection does not apply to any allocation under which the recipient of that
19 allocation has adopted a resolution authorizing the issuance of a private activity
20 bond, as defined in 26 USC 141 (a).

21 **(3) CONDITIONS.** The ~~department~~ corporation may establish, ~~by rule~~, any
22 procedure for, and place any condition upon, the granting of an allocation under this
23 section which the ~~department~~ corporation deems to be in the best interest of the state

1 including, ~~but not limited to~~, a requirement that a cash deposit, at a rate established
2 by the ~~department in the rules~~ corporation, be a condition for an allocation.

3 (4) CERTIFICATION. If the ~~secretary~~ corporation receives notice of the issuance
4 of a bond under an allocation under subs. (1) to (3), the ~~secretary~~ corporation shall
5 certify that that bond meets the requirements of 26 USC 146.

6 *-1465/P4.1120* *-1059/P3.616* SECTION 3318. 560.033 of the statutes is
7 repealed.

8 *-1465/P4.1121* *-0808/2.477* SECTION 3319. 560.0335 of the statutes is
9 renumbered 490.02.

10 *-1465/P4.1122* *-1059/P3.617* SECTION 3320. 560.034 of the statutes is
11 renumbered 238.11, and 238.11 (1), (2), (3) and (5) (intro.), as renumbered, are
12 amended to read:

13 238.11 (1) The ~~department~~ corporation shall prescribe the notice forms to be
14 used under ss. 66.1103 (4m) (a) 1. and 234.65 (3) (a). The ~~department~~ corporation
15 shall include on the forms a requirement for information on the number of jobs the
16 person submitting the notice expects to be eliminated, created, or maintained on the
17 project site and elsewhere in this state by the project which is the subject of the
18 notice. The ~~department~~ corporation shall prescribe the forms to be used under ss.
19 66.1103 (4m) (b) and 234.65 (3r).

20 (2) If the ~~department~~ corporation receives a notice under s. 66.1103 (4m) (a),
21 the ~~department~~ corporation shall estimate, no later than 20 days after receipt of the
22 notice, whether the project ~~which~~ that is the subject of the notice is expected to
23 eliminate, create, or maintain jobs on the project site and elsewhere in this state and
24 the net number of jobs expected to be eliminated, created, or maintained as a result
25 of the project.

1 (3) If the ~~department~~ corporation receives a notice under s. 234.65 (3) (a), the
2 ~~department~~ corporation shall estimate, no later than 20 days after receipt of the
3 notice, whether the project which is the subject of the notice is expected to eliminate,
4 create, or maintain jobs on the project site and elsewhere in this state and the net
5 number of jobs expected to be eliminated, created, or maintained as a result of the
6 project.

7 (5) (intro.) The ~~department~~ corporation shall issue an estimate made:

8 ***-1465/P4.1123* *-0808/2.478* SECTION 3321.** 560.035 of the statutes is
9 renumbered 490.03.

10 ***-1465/P4.1124* *-0808/2.479* SECTION 3322.** 560.036 of the statutes is
11 renumbered 490.04.

12 ***-1465/P4.1125* *-0808/2.480* SECTION 3323.** 560.037 of the statutes is
13 renumbered 490.06, and 490.06 (1) (intro.) of the statutes, as renumbered, is
14 amended to read:

15 490.06 (1) (intro.) Subject to sub. (3), the department may make grants from
16 the appropriation under s. ~~20.143~~ 20.165 (1) (fw) to the women's business initiative
17 corporation to fund its operating costs if all of the following apply:

18 ***-1465/P4.1126* *-1059/P3.619* SECTION 3324.** 560.04 of the statutes is
19 repealed.

20 ***-1465/P4.1127* *-1059/P3.620* SECTION 3325.** 560.045 of the statutes is
21 repealed.

22 ***-1465/P4.1128* *-1059/P3.621* SECTION 3326.** 560.047 of the statutes is
23 repealed.

24 ***-1465/P4.1129* *-1059/P3.622* SECTION 3327.** 560.05 of the statutes is
25 repealed.

1 ***-1465/P4.1130* *-1059/P3.623* SECTION 3328.** 560.07 of the statutes is
2 repealed.

3 ***-1465/P4.1131* *-1059/P3.624* SECTION 3329.** 560.075 of the statutes is
4 renumbered 238.12, and 238.12 (2), as renumbered, is amended to read:

5 238.12 (2) The ~~department~~ corporation may not award a grant or loan under
6 this chapter to a person or certify a person to receive tax benefits unless the
7 ~~department~~ corporation enters into an agreement with the person that requires the
8 person to repay the grant, loan, or tax benefits if, within 5 years after receiving the
9 grant or loan or being certified to receive tax benefits, the person ceases to conduct
10 in this state the economic activity for which the person received the grant or loan or
11 for which the person was certified to receive tax benefits and commences
12 substantially the same economic activity outside this state.

13 ***-1465/P4.1132* *-1059/P3.625* SECTION 3330.** 560.08 (1), (2) (intro.), (a),
14 (b), (c), (d), (e), (f), (g), (h), (i) and (j) of the statutes are repealed.

15 ***-1465/P4.1133* *-1059/P3.626* SECTION 3331.** 560.08 (2) (m) of the statutes
16 is renumbered 238.26 and amended to read:

17 **238.26 Report to investment board.** No later than September 30 of each
18 even-numbered year, the corporation shall submit to the investment board a report
19 describing the types of investments in businesses in this state ~~which~~ that will have
20 the greatest likelihood of enhancing economic development in this state.

21 ***-1465/P4.1134* *-1059/P3.627* SECTION 3332.** 560.081 of the statutes is
22 repealed.

23 ***-1465/P4.1135* *-1059/P3.628* SECTION 3333.** 560.082 of the statutes is
24 repealed.

1 ***-1465/P4.1136* *-1059/P3.629* SECTION 3334.** 560.09 of the statutes is
2 repealed.

3 ***-1465/P4.1137* *-1059/P3.630* SECTION 3335.** 560.097 of the statutes is
4 renumbered 238.15 and amended to read:

5 **238.15 Notification of position openings; compliance.** The department
6 corporation shall monitor compliance with the position-opening notification
7 requirements under ss. 66.1103 (6m) and 106.16.

8 ***-1465/P4.1138* *-1059/P3.631* SECTION 3336.** 560.11 of the statutes is
9 repealed.

10 ***-1465/P4.1139* SECTION 3337.** 560.125 (title) and (1) to (3) of the statutes are
11 renumbered 101.45 (title) and (1) to (3).

 ***NOTE: This is reconciled s. 560.125 (title) and (1) to (3). This SECTION has been
affected by drafts with the following LRB numbers: -0200, -0201, -1465.

12 ***-1465/P4.1140* SECTION 3338.** 560.125 (4) (a) to (e) of the statutes are
13 renumbered 101.45 (4) (a) to (e), and 101.45 (4) (d), as renumbered, is amended to
14 read:

15 101.45 (4) (d) In any fiscal year, the department may not pay to any one
16 applicant more than 20 percent of the amount appropriated under s. ~~20.143 (3)~~
17 20.165 (2) (sm) for the fiscal year.

 ***NOTE: This is reconciled s. 560.125 (4) (a) to (e). This SECTION has been affected
by drafts with the following LRB numbers: -0200, -0201, -1465.

18 ***-1465/P4.1141* SECTION 3339.** 560.125 (4) (f) and (g) of the statutes are
19 repealed.

 ***NOTE: This is reconciled s. 560.125 (4) (f) and (g). This SECTION has been affected
by drafts with the following LRB numbers: -0200, -0201, -1465.

20 ***-1465/P4.1142* SECTION 3340.** 560.125 (5) to (6) of the statutes are
21 renumbered 101.45 (5) to (6).

****NOTE: This is reconciled s. 560.125 (5) to (6). This SECTION has been affected by drafts with the following LRB numbers: -0200, -0201, -1465.

1 ***-1465/P4.1143* *-1059/P3.632* SECTION 3341.** 560.126 of the statutes is
2 repealed.

****NOTE: This is reconciled s. 560.126. This SECTION has been affected by drafts with the following LRB numbers: LRB-1224/P2 and LRB-1465/P3.

3 ***-1465/P4.1144* *-1059/P3.633* SECTION 3342.** 560.128 of the statutes is
4 repealed.

5 ***-1465/P4.1145* *-1059/P3.634* SECTION 3343.** 560.13 (1), (2), (3), (5) and
6 (6m) of the statutes are renumbered 238.13 (1), (2), (3), (5) and (6m), and 238.13 (2)
7 (a) (intro.) and (b) 1., (3) (intro.) and (f) and (5), as renumbered, are amended to read:

8 238.13 (2) (a) (intro.) ~~Subject to subs. (4) and (5), from the appropriation under~~
9 ~~s. 20.143 (1) (gm) the department~~ The corporation may make a grant to a person if
10 all of the following apply:

11 (b) 1. The contribution required under par. (a) 3. may be in cash or in-kind.
12 Cash contributions may be of private or public funds, ~~excluding funds obtained under~~
13 ~~the program under s. 560.17 or under any program under subch. II or V of this~~
14 ~~chapter.~~ In-kind contributions shall be limited to actual remediation services.

15 (3) (intro.) ~~The department~~ corporation may consider the following criteria in
16 making awards under this section:

17 (f) Any other factors considered by the ~~department~~ corporation to be relevant
18 to assessing the viability and feasibility of the project.

19 (5) Before the ~~department~~ corporation awards a grant under this section, the
20 ~~department~~ corporation shall consider the recommendations of the department of
21 administration and the department of natural resources.

1 ***-1465/P4.1146* *-1059/P3.635* SECTION 3344.** 560.13 (4) of the statutes is
2 repealed.

3 ***-1465/P4.1147* *-1059/P3.636* SECTION 3345.** 560.13 (6) of the statutes is
4 repealed.

5 ***-1465/P4.1148* *-1059/P3.637* SECTION 3346.** 560.138 of the statutes is
6 repealed.

7 ***-1465/P4.1149* *-1059/P3.638* SECTION 3347.** 560.139 of the statutes is
8 repealed.

9 ***-1465/P4.1150* *-1059/P3.639* SECTION 3348.** 560.145 of the statutes is
10 repealed.

11 ***-1465/P4.1151* *-1059/P3.640* SECTION 3349.** 560.15 of the statutes is
12 repealed.

 ***NOTE: This is reconciled s. 560.15. This SECTION has been affected by drafts
with the following LRB numbers: LRB-1187/P4 and LRB-1465/P3.

13 ***-1465/P4.1152* *-1059/P3.641* SECTION 3350.** 560.155 of the statutes is
14 repealed.

15 ***-1465/P4.1153* *-1059/P3.642* SECTION 3351.** 560.157 of the statutes is
16 repealed.

17 ***-1465/P4.1154* *-1059/P3.643* SECTION 3352.** 560.165 of the statutes is
18 repealed.

19 ***-1465/P4.1155* *-1059/P3.644* SECTION 3353.** 560.167 of the statutes is
20 repealed.

21 ***-1465/P4.1156* *-1059/P3.645* SECTION 3354.** 560.17 of the statutes is
22 repealed.

1 ***-1465/P4.1157* *-1059/P3.646* SECTION 3355.** 560.19 of the statutes is
2 repealed.

3 ***-1465/P4.1158* *-1059/P3.647* SECTION 3356.** 560.203 of the statutes is
4 repealed.

5 ***-1465/P4.1159* *-1059/P3.648* SECTION 3357.** 560.204 of the statutes is
6 renumbered 238.14 and amended to read:

7 **238.14 Hardware and software used to maintain medical records. (1)**
8 The ~~department~~ corporation shall implement a program to certify health care
9 providers as eligible for the electronic medical records credit under ss. 71.07 (5i),
10 71.28 (5i), and 71.47 (5i).

11 **(2)** If the ~~department~~ corporation certifies a health care provider under sub.
12 (1), the ~~department~~ corporation shall determine the amount of credits to allocate to
13 the health care provider. The total amount of electronic medical records credits
14 allocated to health care providers in any year may not exceed \$10,000,000.

15 **(3)** The ~~department~~ corporation shall inform the department of revenue of
16 every health care provider certified under sub. (1) and the amount of credits allocated
17 to the health care provider.

18 **(4)** The ~~department~~ corporation, in consultation with the department of
19 revenue, shall ~~promulgate~~ adopt rules to administer this section.

20 ***-1465/P4.1160* *-1059/P3.649* SECTION 3358.** 560.205 of the statutes is
21 renumbered 238.15, and 238.15 (1) (intro.), (2) and (3) (a), (b), (d) (intro.), 1., 2. a. and
22 b. and (e), as renumbered, are amended to read:

23 **238.15 (1) ANGEL INVESTMENT TAX CREDITS. (intro.)** The ~~department~~ corporation
24 shall implement a program to certify businesses for purposes of s. 71.07 (5d). A
25 business desiring certification shall submit an application to the ~~department~~

1 corporation in each taxable year for which the business desires certification. The
2 business shall specify in its application the investment amount it wishes to raise and
3 the ~~department~~ corporation may certify the business and determine the amount that
4 qualifies for purposes of s. 71.07 (5d). ~~Unless otherwise provided under the rules of~~
5 ~~the department, a~~ A business may be certified under this subsection, and may
6 maintain such certification, only if the business satisfies all of the following
7 conditions:

8 (2) EARLY STAGE SEED INVESTMENT TAX CREDITS. The ~~department~~ corporation
9 shall implement a program to certify investment fund managers for purposes of ss.
10 71.07 (5b), 71.28 (5b), 71.47 (5b), and 76.638. An investment fund manager desiring
11 certification shall submit an application to the ~~department~~ corporation. The
12 investment fund manager shall specify in the application the investment amount
13 that the manager wishes to raise and the ~~department~~ corporation may certify the
14 manager and determine the amount that qualifies for purposes of ss. 71.07 (5b),
15 71.28 (5b), 71.47 (5b), and 76.638. In determining whether to certify an investment
16 fund manager, the ~~department~~ corporation shall consider the investment fund
17 manager's experience in managing venture capital funds, the past performance of
18 investment funds managed by the applicant, the expected level of investment in the
19 investment fund to be managed by the applicant, and any other relevant factors. The
20 ~~department~~ corporation may certify only investment fund managers that commit to
21 consider placing investments in businesses certified under sub. (1).

22 (3) (a) *List of certified businesses and investment fund managers.* The
23 ~~department~~ corporation shall maintain a list of businesses certified under sub. (1)
24 and investment fund managers certified under sub. (2) and shall permit public access
25 to the lists through the ~~department's~~ corporation's Internet Web site.

1 (b) *Notification of department of revenue.* The ~~department of commerce~~
2 corporation shall notify the department of revenue of every certification issued under
3 ~~sub.~~ subs. (1) and (2) and the date on which any such certification is revoked or
4 expires.

5 (d) *Rules.* (intro.) The ~~department of commerce~~ corporation, in consultation
6 with the department of revenue, shall ~~promulgate~~ adopt rules to administer this
7 section. The rules shall further define “bona fide angel investment” for purposes of
8 s. 71.07 (5d) (a) 1. The rules shall limit the aggregate amount of tax credits under
9 s. 71.07 (5d) that may be claimed for investments in businesses certified under sub.
10 (1) at \$3,000,000 per calendar year for calendar years beginning after December 31,
11 2004, and before January 1, 2008, \$5,500,000 per calendar year for calendar years
12 beginning after December 31, 2007, and before January 1, 2010, \$6,500,000 for
13 calendar year 2010, and \$20,000,000 per calendar year for calendar years beginning
14 after December 31, 2010, plus, for taxable years beginning after December 31, 2010,
15 an additional \$250,000 for tax credits that may be claimed for investments in
16 nanotechnology businesses certified under sub. (1). The rules shall also limit the
17 aggregate amount of the tax credits under ss. 71.07 (5b), 71.28 (5b), 71.47 (5b), and
18 76.638 that may be claimed for investments paid to fund managers certified under
19 sub. (2) at \$3,500,000 per calendar year for calendar years beginning after December
20 31, 2004, and before January 1, 2008, \$6,000,000 per calendar year for calendar
21 years beginning after December 31, 2007, and before January 1, 2010, \$8,000,000 for
22 calendar year 2010, and \$20,500,000 per calendar year for calendar years beginning
23 after December 31, 2010, plus, for taxable years beginning after December 31, 2010,
24 an additional \$250,000 for tax credits that may be claimed for investments in
25 nanotechnology businesses certified under sub. (1). The rules shall also provide that,

1 for calendar years beginning after December 31, 2007, no person may receive a credit
2 under ss. 71.07 (5b) and (5d), 71.28 (5b), 71.47 (5b), or 76.638 unless the person's
3 investment is kept in a certified business, or with a certified fund manager, for no less
4 than 3 years. The rules shall permit the ~~department~~ corporation to reallocate credits
5 under this section that are unused in any calendar year to a person eligible for tax
6 benefits, as defined under s. ~~560.2055~~ 238.16 (1) (d), if all of the following apply:

7 1. The ~~department~~ corporation notifies the joint committee on finance in
8 writing of its proposed reallocation.

9 2. a. The cochairpersons of the joint committee on finance fail to notify the
10 ~~department~~ corporation, within 14 working days after the date of the ~~department's~~
11 corporation's notification under subd. 1., that the committee has scheduled a meeting
12 for the purpose of reviewing the proposed reallocation.

13 b. The cochairpersons of the joint committee on finance notify the ~~department~~
14 corporation that the committee has approved the proposed reallocation.

15 (e) *Transfer*. A person who is eligible to claim a credit under s. 71.07 (5b), 71.28
16 (5b), 71.47 (5b), or 76.638 may sell or otherwise transfer the credit to another person
17 who is subject to the taxes or fees imposed under s. 71.02, 71.23, 71.47, or subch. III
18 of ch. 76, if the person receives prior authorization from the investment fund
19 manager and the manager then notifies the ~~department of commerce~~ corporation
20 and the department of revenue of the transfer and submits with the notification a
21 copy of the transfer documents. No person may sell or otherwise transfer a credit as
22 provided in this paragraph more than once in a 12-month period. The ~~department~~
23 corporation may charge any person selling or otherwise transferring a credit under
24 this paragraph a fee equal to 1 percent of the credit amount sold or transferred. The

1 department shall deposit all fees collected under this paragraph in the appropriation
2 account under s. 20.143 (1) (gm).

3 ***-1465/P4.1161* *-1059/P3.650* SECTION 3359.** 560.2055 (title) and (1) of the
4 statutes are renumbered 238.16 (title) and (1).

5 ***-1465/P4.1162* *-1059/P3.651* SECTION 3360.** 560.2055 (2) of the statutes
6 is renumbered 238.16 (2), and 238.16 (2) (intro.) and (b), as renumbered, are
7 amended to read:

8 238.16 (2) (intro.) The department corporation may certify a person to receive
9 tax benefits under this section if all of the following apply:

10 (b) The person applies under this section and enters into a contract with the
11 department corporation.

12 ***-1465/P4.1163* *-1059/P3.652* SECTION 3361.** 560.2055 (3) (intro.) and (c)
13 of the statutes are renumbered 238.16 (3) (intro.) and (c) and amended to read:

14 238.16 (3) ELIGIBILITY FOR TAX BENEFITS. (intro.) A person certified under sub.
15 (2) may receive tax benefits under this section if, in each year for which the person
16 claims tax benefits under this section, ~~the person increases net employment in the~~
17 ~~person's business and~~ one of the following apply applies:

18 (c) In a tier I county or municipality or a tier II county or municipality, the
19 person increases net employment in the person's business and improves the
20 job-related skills of any eligible employee, trains any eligible employee on the use
21 of job-related new technologies, or provides job-related training to any eligible
22 employee whose employment with the person represents the employee's first
23 full-time job.

24 ***-1465/P4.1164* *-1059/P3.653* SECTION 3362.** 560.2055 (3) (a) of the
25 statutes is repealed.

1 ***-1465/P4.1165* *-1059/P3.654* SECTION 3363.** 560.2055 (3) (b) of the
2 statutes is repealed.

3 ***-1465/P4.1166* *-1059/P3.655* SECTION 3364.** 560.2055 (4) (title) and (a) of
4 the statutes are renumbered 238.16 (4) (title) and (a).

5 ***-1465/P4.1167* *-1059/P3.656* SECTION 3365.** 560.2055 (4) (b) 1. (intro.) of
6 the statutes is renumbered 238.16 (4) (b) 1. and amended to read:

7 238.16 (4) (b) 1. The ~~department~~ corporation may award to a person certified
8 under sub. (2) tax benefits for each eligible employee in an amount equal to up to 10
9 percent of the wages paid by the person to that employee ~~if that employee earned~~
10 ~~wages in the year for which the tax benefit is claimed equal to one of the following:~~
11 or \$10,000, whichever is less.

12 ***-1465/P4.1168* *-1059/P3.657* SECTION 3366.** 560.2055 (4) (b) 1. a. and b.
13 of the statutes are repealed.

14 ***-1465/P4.1169* *-1059/P3.658* SECTION 3367.** 560.2055 (4) (b) 2. and (c) of
15 the statutes are renumbered 238.16 (4) (b) 2. and (c) and amended to read:

16 238.16 (4) (b) 2. The ~~department~~ corporation may award to a person certified
17 under sub. (2) tax benefits in an amount to be determined by the ~~department by rule~~
18 corporation for costs incurred by the person to undertake the training activities
19 described in sub. (3) (c).

20 (c) Subject to a reallocation by the ~~department~~ corporation pursuant to rules
21 ~~promulgated~~ adopted under s. 560.205 238.215 (3) (d), the ~~department~~ corporation
22 may allocate up to \$5,000,000 in tax benefits under this section in any calendar year.

23 ***-1465/P4.1170* *-1059/P3.659* SECTION 3368.** 560.2055 (5) of the statutes
24 is renumbered 238.16 (5), and 238.16 (5) (title), (a), (b), (c), (d), (e) and (f) (intro.) and
25 1. (intro.), as renumbered, are amended to read:

1 238.16 (5) (title) DUTIES OF THE ~~DEPARTMENT~~ CORPORATION. (a) The ~~department~~
2 of ~~commerce~~ corporation shall notify the department of revenue when the
3 ~~department of commerce~~ corporation certifies a person to receive tax benefits.

4 (b) The ~~department of commerce~~ corporation shall notify the department of
5 revenue within 30 days of revoking a certification made under sub. (2).

6 (c) The ~~department~~ corporation may require a person to repay any tax benefits
7 the person claims for a year in which the person failed to maintain employment
8 required by an agreement under sub. (2) (b).

9 (d) The ~~department~~ corporation shall determine the maximum amount of the
10 tax credits under ss. 71.07 (3q), 71.28 (3q), and 71.47 (3q) that a certified business
11 may claim and shall notify the department of revenue of this amount.

12 (e) The ~~department~~ corporation shall annually verify the information
13 submitted to the ~~department~~ corporation by the person claiming tax benefits under
14 ss. 71.07 (3q), 71.28 (3q), and 71.47 (3q).

15 (f) (intro.) The ~~department~~ corporation shall ~~promulgate~~ adopt rules for the
16 implementation and operation of this section, including rules relating to the
17 following:

18 1. (intro.) The definitions of a tier I county or municipality and a tier II county
19 or municipality. The ~~department~~ corporation may consider all of the following
20 information when establishing the definitions required under this subdivision:

21 *-1465/P4.1171* *-1059/P3.660* SECTION 3369. 560.2056 of the statutes is
22 renumbered 238.17 and amended to read:

23 **238.17 Food processing plant and food warehouse investment credit.**

24 (1) The ~~department of commerce~~ corporation shall implement a program to certify

1 taxpayers as eligible for the food processing plant and food warehouse investment
2 credit under ss. 71.07 (3rn), 71.28 (3rn), and 71.47 (3rn).

3 (2) If the ~~department of commerce~~ corporation certifies a taxpayer under sub.
4 (1), the ~~department of commerce~~ corporation shall determine the amount of credits
5 to allocate to that taxpayer. The total amount of food processing plant and food
6 warehouse investment credits allocated to taxpayers in fiscal year 2009-10 may not
7 exceed \$600,000 and the total amount of food processing plant and food warehouse
8 investment credits allocated to taxpayers in fiscal year 2010-11, and in each fiscal
9 year thereafter, may not exceed \$700,000.

10 (3) The ~~department of commerce~~ corporation shall inform the department of
11 revenue of every taxpayer certified under sub. (1) and the amount of credits allocated
12 to the taxpayer.

13 (4) The ~~department of commerce~~ corporation, in consultation with the
14 department of revenue, shall ~~promulgate~~ adopt rules to administer this section.

15 *-1465/P4.1172* *-1059/P3.661* SECTION 3370. 560.206 of the statutes is
16 renumbered 41.155, and 41.155 (4), as renumbered, is amended to read:

17 41.155 (4) The department of ~~commerce~~ tourism, in consultation with the
18 department of revenue, shall promulgate rules to administer this section.

19 *-1465/P4.1173* *-1059/P3.662* SECTION 3371. 560.207 of the statutes is
20 renumbered 93.535 and amended to read:

21 **93.535 Dairy manufacturing facility investment credit.** (1) The
22 department of ~~commerce~~ shall implement a program to certify taxpayers, including
23 taxpayers who are members of dairy cooperatives, as eligible for the dairy
24 manufacturing facility investment credit under ss. 71.07 (3p), 71.28 (3p), and 71.47
25 (3p).

(2) If the department of commerce certifies a taxpayer under sub. (1), the department of commerce shall determine the amount of credits to allocate to that taxpayer. The total amount of dairy manufacturing facility investment credits allocated to taxpayers in fiscal year 2007-08 may not exceed \$600,000 and the total amount of dairy manufacturing facility investment credits allocated to taxpayers who are not members of dairy cooperatives in fiscal year 2008-09, and in each fiscal year thereafter, may not exceed \$700,000. The total amount of dairy manufacturing facility investment credits allocated to taxpayers who are members of dairy cooperatives in fiscal year 2009-10 may not exceed \$600,000 and the total amount of dairy manufacturing facility investment credits allocated to taxpayers who are members of dairy cooperatives in fiscal year 2010-11, and in each fiscal year thereafter, may not exceed \$700,000.

(3) The department of commerce shall inform the department of revenue of every taxpayer certified under sub. (1) and the amount of credits allocated to the taxpayer.

(4) The department of commerce, in consultation with the department of revenue, shall promulgate rules to administer this section.

***-1465/P4.1174* *-1059/P3.663* SECTION 3372.** 560.208 of the statutes is renumbered 238.19 and amended to read:

238.19 Meat processing facility investment credit. (1) The department of commerce corporation shall implement a program to certify taxpayers as eligible for the meat processing facility investment credit under ss. 71.07 (3r), 71.28 (3r), and 71.47 (3r).

(2) If the department of commerce corporation certifies a taxpayer under sub. (1), the department of commerce corporation shall determine the amount of credits

1 to allocate to that taxpayer. The total amount of meat processing facility investment
2 credits allocated to taxpayers in fiscal year 2009-10 may not exceed \$300,000 and
3 the total amount of meat processing facility investment credits allocated to
4 taxpayers in fiscal year 2010-11, and in each fiscal year thereafter, may not exceed
5 \$700,000.

6 (3) The ~~department of commerce~~ corporation shall inform the department of
7 revenue of every taxpayer certified under sub. (1) and the amount of credits allocated
8 to the taxpayer.

9 (4) The ~~department of commerce~~ corporation, in consultation with the
10 department of revenue, shall ~~promulgate~~ adopt rules to administer this section.

11 ***-1465/P4.1175* *-1059/P3.664* SECTION 3373.** 560.2085 of the statutes is
12 renumbered 238.20, and 238.20 (1) (intro.), (2) and (3), as renumbered, are amended
13 to read:

14 238.20 (1) (intro.) The ~~department~~ corporation shall implement a program to
15 certify qualified new business ventures for purposes of s. 71.05 (24). A business
16 desiring certification shall submit an application to the ~~department~~ corporation in
17 each taxable year for which the business desires certification. Subject to sub. (2), a
18 business may be certified under this subsection, and may maintain such
19 certification, only if the business is engaged in one of the following:

20 (2) The ~~department~~ corporation may not certify a business under sub. (1) if the
21 business is engaged in real estate development, insurance, banking, lending,
22 lobbying, political consultation, professional services provided by attorneys,
23 accountants, business consultants, physicians, or health care consultants, wholesale
24 or retail sales, leisure, hospitality, transportation, or construction.

1 (3) (a) The ~~department~~ corporation shall maintain a list of businesses certified
2 under sub. (1) and shall permit public access to the lists through the ~~department's~~
3 corporation's Internet Web site.

4 (b) The ~~department of commerce~~ corporation shall notify the department of
5 revenue of every certification issued under sub. (1) and the date on which a
6 certification under sub. (1) is revoked or expires.

7 *-1465/P4.1176* *-1059/P3.665* SECTION 3374. 560.209 of the statutes is
8 renumbered 238.21 and amended to read:

9 **238.21 Woody biomass harvesting and processing credit.** (1) The
10 ~~department of commerce~~ corporation shall implement a program to certify taxpayers
11 as eligible for the woody biomass harvesting and processing credit under ss. 71.07
12 (3rm), 71.28 (3rm), and 71.47 (3rm).

13 (2) If the ~~department of commerce~~ corporation certifies a taxpayer under sub.
14 (1), the ~~department of commerce~~ corporation shall determine the amount of credits
15 to allocate to that taxpayer. The total amount of woody biomass harvesting and
16 processing credits allocated to taxpayers in any fiscal year may not exceed \$900,000.
17 In each fiscal year, the ~~department of commerce~~ corporation shall allocate \$450,000
18 in tax credits to businesses that, individually, have no more than \$5,000,000 in gross
19 receipts from doing business in this state for the taxable year in which the credit is
20 claimed.

21 (3) The ~~department of commerce~~ corporation shall inform the department of
22 revenue of every taxpayer certified under sub. (1) and the amount of credits allocated
23 to the taxpayer.

24 (4) The ~~department of commerce~~ corporation, in consultation with the
25 department of revenue, shall ~~promulgate~~ adopt rules to administer this section.

1 ***-1465/P4.1177* *-1059/P3.666* SECTION 3375.** 560.21 of the statutes is
2 repealed.

3 ***-1465/P4.1178* *-1059/P3.667* SECTION 3376.** 560.25 of the statutes is
4 repealed.

5 ***-1465/P4.1179* *-1059/P3.668* SECTION 3377.** 560.255 of the statutes is
6 repealed.

7 ***-1465/P4.1180* *-1059/P3.669* SECTION 3378.** 560.27 of the statutes is
8 repealed.

9 ***-1465/P4.1181* *-1059/P3.670* SECTION 3379.** 560.275 of the statutes is
10 repealed.

11 ***-1465/P4.1182* *-1059/P3.671* SECTION 3380.** 560.276 of the statutes is
12 repealed.

13 ***-1465/P4.1183* *-1059/P3.672* SECTION 3381.** 560.277 of the statutes is
14 repealed.

15 ***-1465/P4.1184* *-1059/P3.673* SECTION 3382.** 560.28 of the statutes is
16 repealed.

17 ***-1465/P4.1185* *-1059/P3.674* SECTION 3383.** 560.285 of the statutes is
18 repealed.

19 ***-1465/P4.1186* *-1059/P3.675* SECTION 3384.** 560.29 of the statutes is
20 repealed.

21 ***-1465/P4.1187* *-1059/P3.676* SECTION 3385.** Subchapter II (title) of
22 chapter 560 [precedes 560.30] of the statutes is repealed.

23 ***-1465/P4.1188* *-1059/P3.677* SECTION 3386.** 560.30 of the statutes is
24 repealed.

1 ***-1465/P4.1189* *-1059/P3.678* SECTION 3387.** 560.301 of the statutes is
2 repealed.

3 ***-1465/P4.1190* *-1059/P3.679* SECTION 3388.** 560.302 of the statutes is
4 repealed.

5 ***-1465/P4.1191* *-1059/P3.680* SECTION 3389.** 560.303 of the statutes is
6 repealed.

7 ***-1465/P4.1192* *-1059/P3.681* SECTION 3390.** 560.304 of the statutes is
8 repealed.

9 ***-1465/P4.1193* *-1059/P3.682* SECTION 3391.** 560.305 of the statutes is
10 repealed.

11 ***-1465/P4.1194* *-1059/P3.683* SECTION 3392.** Subchapter III (title) of
12 chapter 560 [precedes 560.41] of the statutes is repealed.

13 ***-1465/P4.1195* *-1059/P3.684* SECTION 3393.** 560.41 of the statutes is
14 repealed.

15 ***-1465/P4.1196* *-1059/P3.685* SECTION 3394.** 560.42 of the statutes is
16 repealed.

17 ***-1465/P4.1197* *-1059/P3.686* SECTION 3395.** 560.43 of the statutes is
18 repealed.

19 ***-1465/P4.1198* *-1059/P3.687* SECTION 3396.** 560.44 of the statutes is
20 repealed.

21 ***-1465/P4.1199* *-0808/2.485* SECTION 3397.** 560.45 of the statutes is
22 renumbered 490.05, and 490.05 (1), as renumbered, is amended to read:

23 490.05 (1) The department may award a grant from the appropriations under
24 s. 20.143 20.165 (1) (ie), (ig), (im), and (ir) to a business for innovation and research
25 assistance.

1 ***-1465/P4.1200* *-1059/P3.689* SECTION 3398.** Subchapter IV (title) of
2 chapter 560 [precedes 560.51] of the statutes is repealed.

3 ***-1465/P4.1201* *-1059/P3.690* SECTION 3399.** 560.51 of the statutes is
4 repealed.

5 ***-1465/P4.1202* *-1059/P3.691* SECTION 3400.** 560.53 of the statutes is
6 repealed.

7 ***-1465/P4.1203* *-1059/P3.692* SECTION 3401.** 560.54 of the statutes is
8 repealed.

9 ***-1465/P4.1204* *-1059/P3.693* SECTION 3402.** Subchapter V (title) of
10 chapter 560 [precedes 560.60] of the statutes is repealed.

11 ***-1465/P4.1205* *-1059/P3.694* SECTION 3403.** 560.60 of the statutes is
12 repealed.

13 ***-1465/P4.1206* *-1059/P3.695* SECTION 3404.** 560.602 of the statutes is
14 repealed.

15 ***-1465/P4.1207* *-1059/P3.696* SECTION 3405.** 560.605 of the statutes is
16 repealed.

17 ***-1465/P4.1208* *-1059/P3.697* SECTION 3406.** 560.607 of the statutes is
18 repealed.

19 ***-1465/P4.1209* *-1059/P3.698* SECTION 3407.** 560.61 of the statutes is
20 repealed.

21 ***-1465/P4.1210* *-1059/P3.699* SECTION 3408.** 560.68 of the statutes is
22 repealed.

23 ***-1465/P4.1211* *-1059/P3.700* SECTION 3409.** Subchapter VI (title) of
24 chapter 560 [precedes 560.70] of the statutes is repealed.

1 ***-1465/P4.1212* *-1059/P3.701* SECTION 3410.** 560.70 (intro.), (2), (2g),
2 (2m), (3), (4), (4m), (5), (6) and (7) of the statutes are renumbered 238.30 (intro.), (2),
3 (2g), (2m), (3), (4), (4m), (5), (6) and (7), and 238.30 (intro.), (2g), (2m) (b), (4) and (7)
4 (b) 1. and 2., (c) and (d), as renumbered, are amended to read:

5 **238.30 Definitions.** (intro.) In this section and ss. ~~560.71 to 560.795~~ 238.31
6 to 238.395:

7 **(2g)** “Eligible activity” means an activity described under s. ~~560.702~~ 238.302.

8 **(2m)** (b) The ~~department may by rule specify~~ corporation may adopt a rule
9 specifying circumstances under which the ~~department~~ corporation may grant
10 exceptions to the requirement under par. (a) that a full-time job means a job in which
11 an individual, as a condition of employment, is required to work at least 2,080 hours
12 per year, but under no circumstances may a full-time job mean a job in which an
13 individual, as a condition of employment, is required to work less than 37.5 hours per
14 week.

15 **(4)** “Local governing body” means the governing body of one or more cities,
16 villages, towns, or counties or the elected governing body of a federally recognized
17 American Indian tribe or band in this state.

18 **(7)** (b) 1. Except as provided in subd. 2., in s. ~~560.795~~ 238.395, “tax benefits”
19 means the development zones investment credit under ss. 71.07 (2di), 71.28 (1di),
20 and 71.47 (1di) and the development zones credit under ss. 71.07 (2dx), 71.28 (1dx),
21 71.47 (1dx), and 76.636. With respect to the development opportunity zones under
22 s. ~~560.795~~ 238.395 (1) (e) and (f), “tax benefits” also means the development zones
23 capital investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm).

24 2. With respect to the development opportunity zones under s. ~~560.795~~ 238.395
25 (1) (g) and (h), “tax benefits” means the development zone credits under ss. 71.07

(2dx), 71.28 (1dx), 71.47 (1dx), and 76.636 and the development zones capital investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm).

(c) In s. ~~560.798~~ 238.398, “tax benefits” means the development zones capital investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm) and the development zones credits under ss. 71.07 (2dx), 71.28 (1dx), 71.47 (1dx), and 76.636.

(d) In ss. ~~560.701 to 560.706~~ 238.301 to 238.306, “tax benefits” means the economic development tax credit under ss. 71.07 (2dy), 71.28 (1dy), 71.47 (1dy), and 76.637.

****NOTE: This is reconciled s. 560.70 (4m). This SECTION has been affected by drafts with the following LRB numbers: LRB-1195/1 and LRB-1465/P3.

***-1465/P4.1213* *-1059/P3.702* SECTION 3411.** 560.70 (1) of the statutes is repealed.

***-1465/P4.1214* *-1059/P3.703* SECTION 3412.** 560.701 of the statutes is renumbered 238.301, and 238.301 (1) (intro.) and (e), (2) (a) and (b) and (3) (intro.), (b), (c), (d) and (f), as renumbered, are amended to read:

238.301 (1) APPLICATION. (intro.) Any person may apply to the ~~department~~ corporation on a form prepared by the ~~department~~ corporation for certification under this section. The application shall include all of the following:

(e) Other information required by the ~~department~~ corporation or the department of revenue.

(2) (a) The ~~department~~ corporation may certify a person who submits an application under sub. (1) if, after conducting an investigation, the ~~department~~ corporation determines that the person is conducting or intends to conduct at least one eligible activity.

(b) The ~~department~~ corporation shall provide a person certified under this section and the department of revenue with a copy of the certification.

(3) CONTRACT. (intro.) A person certified under this section shall enter into a written contract with the ~~department~~ corporation. The contract shall include provisions that detail all of the following:

(b) Whether any of the eligible activities will occur in an economically distressed area, as designated by the ~~department~~ corporation under s. 560.704 238.304 (1).

(c) Whether any of the eligible activities will benefit members of a targeted group, as determined by the ~~department~~ corporation under s. 560.704 238.304 (2).

(d) A compliance schedule that includes a sequence of anticipated actions to be taken or goals to be achieved by the person before the person may receive tax benefits under s. 560.703 238.303.

(f) If feasible, a determination of the tax benefits the person will be authorized to claim under s. 560.703 238.303 (2) if the person fulfills the terms of the contract.

***-1465/P4.1215* *-1059/P3.704* SECTION 3413.** 560.702 of the statutes is renumbered 238.302, and 238.302 (intro.), (1), (2) and (3), as renumbered, are amended to read:

238.302 Eligible activities. (intro.) A person who conducts or proposes to conduct any of the following may be certified under s. 560.701 238.301 (2):

(1) JOB CREATION PROJECT. A project that creates and maintains for a period of time established by the ~~department~~ corporation by rule full-time jobs in addition to any existing full-time jobs provided by the person.

(2) CAPITAL INVESTMENT PROJECT. A project that involves a significant investment of capital, as defined by the ~~department~~ corporation by rule under s.